

SECTION IV RESIDENTIAL A ZONE USES

In the Residential A Zone, no building or structure shall be erected or altered and no building, structure or premises shall be used for any purpose except the following:

1. Not more than a one (1) family dwelling.
2. Any lawful municipal, religious, educational and nonprofit recreational purpose.
3. Accessory use on the same lot with and customarily incidental to any of the above permitted uses and not detrimental to a residential neighborhood. The term accessory uses shall include:
 - a. A garage for not more than four (4) automobiles.
 - b. The display and sale by the owner at a roadside stand or otherwise of natural products, the major portion of which is raised in the town. (Amended 1995)
4. Any agricultural use and uses customarily incidental thereto except fur farms and piggeries.
5. Mobile homes shall be permitted as single family dwellings only in subdivisions established for the purpose of mobile home placement on individually owned lots.

SECTION V RESIDENTIAL A ZONE AREA REGULATIONS

1. Floor Area: Any one-story building or other habitation, erected, altered, or used for dwelling purposes shall provide a minimum first floor area of 720 square feet and any two-story building or other habitation, erected, altered, or used for dwelling purposes shall provide a minimum first floor area of 600 square feet, provided, however, that the Board of Adjustments may issue a permit for temporary occupancy of a building having less than the above area, such permit to be issued for a period of not more than two (2) years.
2. Lot Area: No building except those as allowed in Section IV and its accessory buildings may be erected on a lot. Each lot shall have not less than 150 feet continuous frontage on a Class I, II, III, IV, or V Highway, and an area of not less than 60,000 square feet, based on the Model Subdivision Regulations for Soil Based Lot Size (Copy available through the Rockingham County Conservation District); provided that one dwelling may be erected on a lot having lesser dimension if petitioner can show by recorded deed or plan that said lot existed at the time this bylaw was adopted.

Every lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from the frontage in a continuous line back one hundred (100) feet toward the rear of the lot along the side lot lines. (Amended 1998) All measurements are to be taken inside of the lot boundary lines. (Amended 2003). In a case in which the frontage is curved, such as along a cul-de-sac, the lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from a line tangent to the frontage curve in a continuous line back one hundred (100) feet toward the rear of the lot. (Amended 2010)
3. Location on Lot: No building shall be within 65 feet of the centerline of the street. If the lot is a corner lot the 65-foot distance will be calculated from the numbered side of the house. Side and rear setbacks shall be 25 feet from lot lines. Side and rear setbacks may be reduced to not less than five feet (5 ft.) for one (1) accessory storage structure less than 120 square feet in size. (Amended March 2000)
4. Height Restriction: No building or structure shall be more than two and one half (2 1/2) stories high nor have a total height greater than 35 feet. (These restrictions do not apply to radio or television receiving antennas.) (Amended 2003)
5. Any accessory structures as defined in the zoning ordinance over 1,200 square feet are required to receive Planning Board approval prior to issuance of a building permit. (Adopted 2005)

SECTION VI RESIDENTIAL B ZONE USES

In the Residential B Zone, no building or structure shall be erected or altered and no building, structure or premises shall be used for any purpose except the following:

1. Not more than a two (2) family dwelling.
2. Any lawful municipal, religious, educational and nonprofit recreational purpose.
3. Accessory use on the same lot with and customarily incidental to any of the above permitted uses and not detrimental to a residential neighborhood. The term accessory use shall include:
 - a. A garage for not more than four (4) automobiles.
 - b. The display and sale by the owner at a roadside stand or otherwise of natural products, the major portion of which is raised in the town. (Amended 1995)
4. Any agricultural use and uses customarily incidental thereto except fur farms and piggeries.
5. Mobile homes, however mounted, shall be prohibited from this district.

SECTION VII RESIDENTIAL B ZONE AREA REGULATIONS

1. Floor Area: For each dwelling unit, any one-story building or other habitation, erected, altered, or used for dwelling purposes shall provide a minimum first floor area of 720 square feet and any two-story building or other habitation, erected, altered, or used for dwelling purposes shall provide a minimum first floor area of 600 square feet provided however, that the Board of Adjustments may issue a permit for temporary occupancy of a building having less than the above area, such permit to be issued for a period of not more than two (2) years.
2. Lot Area: No building except those as allowed in Section VI and its accessory buildings may be erected on a lot. Each lot shall have not less than 150 feet continuous frontage on a Class I, II, III, IV, or V Highway, and an area of not less than 60,000 square feet, based on the Model Subdivision Regulations for Soil Based Lot Size (Copy available through the Rockingham County Conservation District), for a one (1) family dwelling and 90,000 square feet for a two (2) family dwelling; provided that one dwelling may be erected on a lot having lesser dimension if petitioner can show by recorded deed or plan that said lot existed at the time this bylaw was adopted.

Every lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from the frontage in a continuous line back one hundred (100) feet toward the rear of the lot along the side lot lines. (Amended 1998) All measurements are to be taken inside of the lot boundary lines. (Amended 2003). In a case in which the frontage is curved, such as along a cul-de-sac, the lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from a line tangent to the frontage curve in a continuous line back one hundred (100) feet toward the rear of the lot. (Amended 2010)
3. Location on Lot: No building shall be within 65 feet of the centerline of the street. If the lot is a corner lot the 65-foot distance will be calculated from the numbered side of the house. Side and rear setbacks shall be 25 feet from lot lines. Side and rear setbacks may be reduced to not less than five feet (5 ft.) for one (1) accessory storage structure less than 120 square feet in size. (Amended March 2000)
4. Height Restrictions: No building or structure shall be more than two and one half (2 1/2) stories high nor have a total height greater than 35 feet. (These restrictions do not apply to radio or television receiving antennas.) (Amended 2003)

SECTION VIII RESIDENTIAL C ZONE USES

In the Residential C Zone, no building or structure or premises shall be erected or altered and no building, structure or premises shall be used for any purpose except the following:

1. A mobile home park.
2. Accessory use on the same lot with and customarily incidental to any of the above permitted uses and not detrimental to a residential neighborhood. The term accessory use shall include:
 - a. A central recreational building. (Amended 1995)

SECTION IX RESIDENTIAL C ZONE AREA REGULATIONS

1. Lot Area
 - a. For a mobile home park with both a central sewage treatment facility and central water supply, each lot shall have not less than 100 feet frontage on a street or way and an area not less than 10,000 square feet. The sewage treatment facility and water supply shall comply with all applicable federal and state regulations.
 - b. For a mobile home park without both a central sewage treatment facility and central water supply, each lot shall have not less than 150 feet continuous frontage on a Class I, II, III, IV or V Highway.
2. Site plans shall be submitted to the Planning Board for review and approval prior to the commencement of any construction on the property.
3. Height Restriction: No building or structure shall be greater than 15 feet high. (This restriction does not apply to radio or television receiving antennas.)

SECTION X COMMERCIAL ZONE USES

In the Commercial Zone, no building or structure or premises shall be erected or altered and no building, structure or premises shall be used for any purpose except the following:

1. Any use permitted in Residential Zones A or B.
2. Retail business or service, except those listed under Section XI below.
3. The display of not more than 100 square feet of signage providing the sign is not oscillating, flashing or operated with moving parts and providing further that no sign shall be located closer than 50 feet from any Residential Zone. No sign shall be greater than 32 square feet in size. This amendment further regulates the amount and size of signage in the Commercial zone. (Amended 2003)
4. Office building(s).

SECTION XI COMMERCIAL ZONE AREA REGULATIONS

1. The side yard shall be 50 feet on a side that abuts any Residential Zone; rear yard, 50 feet where it abuts any Residential Zone; plus adequate provisions for off-street parking, as determined by the Planning Board.
2. Buildings erected for residential purposes and their premises shall conform to the area regulations for the Residential Zones A or B.
3. The area of lots used for residential purposes within the Commercial Zone shall not be less than the area required in Residential Zones A or B.
4. Lot Area: Each lot shall have not less than 150 feet contiguous frontage on a on a Class I, II, III, IV, or V Highway and an area not less than 60,000 square feet, based on the Model Subdivision Regulations for Soil Based Lot Size (Copy available through the Rockingham County Conservation District).

Every lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from the frontage in a continuous line back one hundred (100) feet toward the rear of the lot along the side lot lines. (Amended 1998) All measurements are to be taken inside of the lot boundary lines. (Amended 2003). In a case in which the frontage is curved, such as along a cul-de-sac, the lot shall be a minimum of one hundred twenty-five (125) feet wide at all locations measured from a line tangent to the frontage curve in a continuous line back one hundred (100) feet toward the rear of the lot. (Amended 2010)

5. Location on Lot: No building shall be within 65 feet of the centerline of the street. If the lot is a corner lot the 65 foot distance will be calculated from the numbered side of the house. The side setback located on the unnumbered side of the house shall be 35 feet from the lot line. All other side and rear setbacks would remain the same (25 feet). (Amended 2003)
6. Site plans shall be submitted to the Planning Board for review and approval prior to the commencement of any construction on the property.
7. No more than 60% of any lot in the Commercial Zone shall be covered.
8. Height Restriction: No building or structure shall be more than three (3) stories high, nor have a total height greater than 35 feet. (This restriction does not apply to elevator machinery rooms, air conditioners, heating systems, communication antennas, or radio or television receiving antennas.) (Amended 2003)

SECTION XII LIGHT INDUSTRIAL/COMMERCIAL ZONE USES

In this zone, no building or structure or premises shall be erected or altered and no building, structure or premises shall be used for any purpose except the following:

1. The Light Industrial/Commercial Zone(s) is intended for use and development of research laboratories, office buildings, selected light industries, warehousing, service or utility businesses.

Uses permitted subject to Site Plan Approval by the Planning Board.

- a. Any Commercial uses defined in Section X of Newton Zoning Ordinance not including Residential Use.
- b. Research laboratories with incidental processing or pilot manufacture, but excluding Biological or Chemical Laboratories.
- c. Office buildings.
- d. Any lawful warehousing excluding warehousing of biological chemical materials; service or utility business not in conflict with the public health, safety, convenience or welfare or substantially detrimental or offensive to adjacent zones or destructive of property values, when permitted by the Planning Board.
- e. Light manufacturing enterprises, except biological and chemical manufacturing; provided that such activities will not be offensive, injurious, or noxious because of gas, dirt, sewerage and refuse, vibration, smoke, fumes, dust, odors, danger of fire, or explosion, or other characteristics detrimental or offensive that tend to reduce property values in the same or adjoining districts.
- f. Any customary accessory uses incidental to above, including parking and parking structures, support and maintenance shops, concessions and services located within a principal building with no exterior evidence of such concessions and services, and recreational facilities for the use of employees in Industrial Districts.
- g. Temporary structures provided the permit for such use shall be limited to a term not to exceed ninety (90) days and a bond is posted to ensure removal.

- h. The display of not more than 100 square feet of signage providing the sign is not oscillating, flashing or operated with moving parts and providing further that no sign shall be located closer than 50 feet from any Residential Zone. No sign shall be greater than 32 square feet in size. This amendment further regulates the amount and size of signage in the Light Industrial/Commercial zone. (Amended 2004).

Provided however, that before granting a permit for any of the foregoing uses permitted in a Light Industrial/Commercial Zone, the Planning Board shall determine that all of the conditions and requirements of the Site Plan and all its pertaining ordinances are fully complied with.

2. Before any building permit may be granted by the Building Inspector for any buildings, structures or uses in a Light Industrial/Commercial Zone for which approval has been granted by the Planning Board as herein above provided, there shall first be submitted to the Building Inspector such detailed plans as shall evidence that such buildings, structures, and uses conform to the following minimum standards for design, construction, use and operation, and such plans shall be certified as to compliance by the architects or engineers responsible for such plans.
3. Non-Residential Site Plan Approval must be obtained from the Newton Planning Board before a building permit is granted. (Amended 1995)
4. No building permit shall be issued until final Site Plan Approval has been granted by the Planning Board.

SECTION XIII LIGHT INDUSTRIAL/COMMERCIAL ZONE AREA REGULATIONS

1. Location on Lot: Side yard 200 feet structural setback with a minimum 50 foot undisturbed natural buffer and any additional buffer that may be required by the Planning Board up to but not exceeding 1,500 feet on any side that abuts any other Zone; rear yard 200 feet structural setback with a minimum 50 foot undisturbed natural buffer and any additional buffer that may be required by the Planning Board up to but not exceeding 1,500 feet where it abuts any other Zone, plus adequate provision for off-street parking as determined by the Planning Board. No building shall be set within 75 feet of the street and within 50 feet of any lot line. (Amended 2004, 2009)

The Planning Board is empowered to reduce the buffer sizes, as justice may require, but may not reduce them below the lot-line set-backs as listed above. (Added 2009)

2. Site plans shall be submitted to the Planning Board for review and approval prior to the commencement of any construction on the property.
3. No more than 60% of any lot area in the Light Industrial/Commercial Zone shall be covered.
4. Height Restriction: No building or structure shall be more than three (3) stories high nor have a total height greater than 35 feet. (This restriction does not apply to elevator machinery rooms, air conditioners, heating systems, communication antennas, or radio and television receiving antennas.) (Amended 2003)
5. Lot Area: Each lot shall have not less than 150 feet of contiguous frontage on a Class I, II, III, IV, or V highway and an area not less than 60,000 square feet. (Amended March 1999)

SECTION XIV SENIOR CITIZEN RESIDENTIAL ZONE

Multi-family dwellings for occupancy by senior citizens only. For eligibility under this section, senior citizens occupancy shall mean occupancy by a family unit or by individuals where the head of household is at least 62 years of age.

Multi-family dwelling units for senior citizens shall be one story, one-bedroom buildings and shall have a minimum floor area of 620 square feet per dwelling unit. There shall be at least 40,000 square feet of lot area provided for each dwelling unit.

The plans for multi-family dwellings shall be submitted to the Planning Board and Building Inspector for site review and

planning approval prior to the commencement of any construction on the property.

SECTION XV RESIDENTIAL A

1. Definition

Mobile home is defined as a structure of vehicular portable design built on a chassis and designed to be moved from one site to another and to be used with permanent foundation.

2. Lot area and location-on-lot requirements for the placement of mobile homes on lots shall be the same as for all other single-family dwellings in Residential Zone A.
3. Mobile home structures shall have a minimum first floor area of 720 square feet per dwelling unit and any two-story mobile home shall have a minimum first floor area of 600 square feet.
4. The total minimum size for a plotted mobile home subdivision will be twenty (20) acres.
5. Before placement of a mobile home on a lot, the lot owner must obtain a Conditional Permit from the Building Inspector. Such a permit will be issued upon satisfaction of the following conditions:
 - a. A Conditional ninety (90) day temporary permit shall be issued upon:
 1. Delivery to the Building Inspector of an approved (by the NH Water Supply and Pollution Control Division) septic system design.
 2. A certification by the manufacturer that the mobile home is either BOCA certified or meets or exceeds the federal standards issued for mobile home construction issued under and pursuant to 24 CFR 201.520, not earlier than twelve (12) months prior to the date such a temporary permit is issued.

The Conditional Permit shall not serve as an Occupancy Permit but will enable the lot owner to begin placement of the mobile home on the lot.

- b. A Final Occupancy Permit shall be issued for the mobile home in question upon satisfaction of the following conditions:
 1. The installation of a cement or cement block enclosed foundation upon which the mobile home rests.
 2. Proper anchorage and tie down of the unit to the foundation.
 3. Inspection by the Building Inspector, Road Agent, Health Officer, and Fire Chief to ensure proper construction and installation of the foundation, septic disposal system, plumbing and electrical wiring.

In the event a Final Occupancy Permit is not obtained prior to the expiration of the ninety-day Conditional Permit, the Selectmen may, any time thereafter, upon thirty (30) days, have a written notice sent by certified mail, return receipt requested, to the holder of the Conditional Permit, commence action in Rockingham County Superior Court to remove said mobile home from said lot.